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2	2	IN THE UNITED STATE FOR THE DISTRIC	ES DISTRICT COURGE 23 COPY COPY
3	UNITED S	TATES OF AMERICA,	CLERK US DISTRICT COURT DISTRICT OF NEVADA
4		Plaintiff,	BY:DEPUTY
5		RIVER PAIUTE TRIBE,)) IN EQUITY NO. C-125
6		Plaintiff-Intervenor,) SUBFILE NO. C-125-B
7	vs.)
8 9	WALKER	RIVER IRRIGATION DISTRICT, on, et al.,) } }
10	; 	NOTICE OF APPEARANCE AND	INTENT TO PARTICIPATE
11	1	I hereby enter my appearance in thi	s sub-proceeding in this case.
12	I h	, , , ,	District Court at the following address:
13	FI .	-	
14		Chief Deputy Clerk United States District Court for the District of Nevada	
15		400 South Virginia Street, Suite 30 Reno, Nevada 89501	
16	3.	In the envelope provided for return	of my Waiver of Service of Notice in Lieu of
17	Summons, I	am mailing a copy of this document to	o:
18		Susan L. Schneider	
19		Attorney for the United States of Ar United States Department of Justice	
20		Environment & Natural Resources I P.O. Box 756	Division
21		Littleton, Colorado 80160	
22	4.	I (or the entity on whose behalf I am	acting) will retain all defenses or objections
23	o the lawsui	t or to the jurisdiction or venue of the	court except for objections based on a defect
24	n the Notice	in Lieu of Summons or in the service	of the Notice in Lieu of Summons.
25	5.	If I (or the entity on whose behalf I am	acting) have retained an attorney to represent
26	me in these p	proceedings, I identify that attorney be	elow, along with his or her mailing address,
27	elephone nu	mber, facsimile number, and e-mail ad	dress:
28			
	Nome of	OF APPEARANCE AND INTENT TO PA	percentage nace 1 of 2

Case 3:73:77 100127 100127 100

1	Attorney:
2	
3	Address:
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6	Phone Number:
7	Fax Number:
8	E-mail Address:
9	
10	PLEASE NOTE: Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.
11	- ·
12	"Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall register as Filing Users of the System. Registration shall be in the form prescribed by the
13	Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.
14	
15	Veronica a Rowley
16	(Signature)
17	(5.5
18	Veronica A Rowley
1.9	(Printed or typed Name)
20	
21	
2	(Entity, if any, on whose
3	behalf you are appearing) 3f FALCON WAY
4	JERINGTON WAY
5	(Address) 175 - Z30 - 4428
6	(Telephone number)
7	(Telephone number)



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Robert & Ronnie Rowley 38 Falcon Way Yerington NV 89447-9409

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		COUNSEL/PARTIES OF RECORD
1	N .	1 1
2	IN THE UNITED STATES I	, , t
3	UNITED STATES OF AMERICA,	GLERY US DISTRICT COURT DISTRICT OF NEVADA
4	Plaintiff,	BY DISTRICT OF NEVADA DEPUTY
5	WALKER RIVER PAIUTE TRIBE,	IN EQUITY NO. C-125
6	Plaintiff-Intervenor,	SUBFILE NO. C-125-B
7	vs.	
8	WALKER RIVER IRRIGATION DISTRICT,	
9	corporation, et al.,)
10	NOTICE OF APPEARANCE AND IN	TENT TO PARTICIPATE
11	1. I hereby enter my appearance in this su	b-proceeding in this case.
12	2. I am filing this document with the Dist	rict Court at the following address:
13	Chief Deputy Clerk	
14	United States District Court for the District of Nevada	
15	400 South Virginia Street, Suite 301 Reno, Nevada 89501	
16	3. In the envelope provided for return of r	ny Waiver of Service of Notice in Lieu of
17	Summons, I am mailing a copy of this document to:	
18	Susan L. Schneider	
19	Attorney for the United States of Amer United States Department of Justice	
20	Environment & Natural Resources Div. P.O. Box 756	ision
21	Littleton, Colorado 80160	
. 22	į į	ting) will retain all defenses or objections
23	o the lawsuit or to the jurisdiction or venue of the cou	
24	n the Notice in Lieu of Summons or in the service of	
25	, v	ing) have retained an attorney to represent
•.	me in these proceedings, I identify that attorney below	•
27	elephone number, facsimile number, and e-mail addre	SS:
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į	NOTICE OF APPEARANCE AND INTENT TO PART	ICIPATE, page 1 of 2

Case 3: 73-73-700127 F N M D W B C D D LUM ent File 1 1731/20/31/08 1 age 5 of 113

1	Attorney:
2	
3	Address:
4	
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6	Phone Number:
7	Fax Number:
8	E-mail Address:
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LO	<u>PLEASE NOTE:</u> Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.
.1	the beautiful admitted to participate in a case pro
.2	hac vice, or who are authorized to represent the content states and he against the hac vice, or who are authorized to represent the content states and he against the form prescribed by the
L3	register as Filing Users of the System. Registration shan be in the Fourt and Free Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.
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15	Lorge Loyce
16	(Signature)
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18	GEORGE KOUCE R
19	(Printed or typed Name)
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22	(Entity, if any, on whose behalf you are appearing)
23	151 Usace Colony Ad:
24	Wellington, Nr. 89444
25	(Address) ² 775 901 1579
26	(Telephone number)
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Case 3:73-cv-00127-MMD-WGC Document 5 Filed 12/31/08 Page 7 of 113

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

	_ an Ruben	
Date: 10-11-08	Signature Ann Buben	
	Printed/Typed Name	
	If you are acting on behalf of any entity, identify that you	a are
	acting as:	_ of
	(Title)	
	(Corporate, Trust, Partnership or other entity)	

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

Case 3:73-c -00127-MMD-WGC Document 5 Filed 12/31/08 Page 8 of 113 □ □ □

1	·	S DISTRICT COURT S PROP
2	IN THE UNITED STATE FOR THE DISTRIC	CS DISTRICT COURT S STORY SET
3	JNITED STATES OF AMERICA,	— ₹A. MHO
4	Plaintiff,	
5	WALKER RIVER PAIUTE TRIBE,	IN EQUITY NO. C-125
6	Plaintiff-Intervenor,	SUBFILE NO. C-125-B
7	vs.	{
8 9	WALKER RIVER IRRIGATION DISTRICT, corporation, et al.,	.
10	NOTICE OF APPEARANCE ANI	INTENT TO PARTICIPATE
11	I hereby enter my appearance in this	a sub proceeding in this case
12		-
13	2. I am filing this document with the	District Court at the following address:
14	Chief Deputy Clerk United States District Court for the District of Nevada	
15	400 South Virginia Street, Suite 30 Reno, Nevada 89501	1
16		of my Waiver of Service of Notice in Lieu of
17	Summons, I am mailing a copy of this document t	
18	Susan L. Schneider	
19	Attorney for the United States of A United States Department of Justic	merica
20	Environment & Natural Resources P.O. Box 756	Division
21	Littleton, Colorado 80160	$V_{i,j} = V_{i,j} + \frac{1}{2} \left($
22	4. I (or the entity on whose behalf I ar	n acting) will retain all defenses or objections

- 4. I (or the entity on whose behalf I am acting) will retain all defenses or objections of the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.
- 5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent ne in these proceedings, I identify that attorney below, along with his or her mailing address, elephone number, facsimile number, and e-mail address:

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Case 3:73-cv-00127-MMD-WGC Document 5 Filed 12/31/08 Page 9 of 113 Attorney: 1 2 ' Address: 3 4 5 Phone Number: 6 Fax Number: 7 E-mail Address: 8 9 PLEASE NOTE: Attorneys are reminded that they are required to comply with the 10 electronic filing procedures of the U.S. District Court for District of Nevada. 11 "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall 12 register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., 13 Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C. 14 ann Ruben 15 16 (Signature) 17 18 Ann Buben (Printed or typed Name) 19 20 21 (Entity, if any, on whose 22 behalf you are appearing) 23 24 25 (Address) 26 (Telephone number)

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 2 of 2

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Case 3:73-cv-00127-MMD-WGC Document 5 Filed 12/31/08 Page 10 of 113

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
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or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of
Summons or in the service of the Notice in Lieu of Summons

Date: 9-30-08

lignature Keith Ruben

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: ______ of

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

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Case C U.S. DEPT. OF ENV. & NAT. I ENV. DENVER	3:73.62 RES. DIV , co 1	-00127-MMD-WGC Document 5 File	d 1,2/3,1/08 Page 11 of 113	
2008 OCT -6 PM 12:44		IN THE UNITED STATES DIST 2008 (CCO) R BM 2: 46 FOR THE DISTRICT OF NEVADA		
	3	JNITED STATES OF AMERICA,	·)	
•	4	Plaintiff,		
		WALKER RIVER PAIUTE TRIBE,	IN EQUITY NO. C-125	
•	6 7	Plaintiff-Intervenor,	SUBFILE NO. C-125-B	
		vs.		
	8 9	WALKER RIVER IRRIGATION DISTRICT, Corporation, et al.,	•	
•	10	NOTICE OF APPEARANCE AND INT	ENT TO PARTICIPATE	
	11	1. I hereby enter my appearance in this sub-	-proceeding in this case.	
	12	I am filing this document with the Distri		
	13 14	Chief Deputy Clerk United States District Court for the		
	15	District of Nevada 400 South Virginia Street, Suite 301 Reno, Nevada 89501		
	16	3. In the envelope provided for return of m	y Waiver of Service of Notice in Lieu of	
	17	Summons, I am mailing a copy of this document to:		
	18	Susan L. Schneider		
	19	Attorney for the United States of Americ United States Department of Justice	ca ·	
	20	Environment & Natural Resources Divis P.O. Box 756	sion	

Littleton, Colorado 80160 I (or the entity on whose behalf I am acting) will retain all defenses or objections 4. to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect n the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

If I (or the entity on whose behalf I am acting) have retained an attorney to represent 5. me in these proceedings, I identify that attorney below, along with his or her mailing address, 26 elephone number, facsimile number, and e-mail address:

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Case 3:73-cy-00127-MMD-WGC Document 5 Filed 12/31/08 Page 12 of 113 Attorney: 1 2 Address: 3 4 5 Phone Number: 6 Fax Number: 7 E-mail Address: 8 9 PLEASE NOTE: Attorneys are reminded that they are required to comply with the 10 electronic filing procedures of the U.S. District Court for District of Nevada. 11 "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall 12 register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., 13 Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C. 14 15 16 (Signature) 17 18 (Printed or typed Name) 19 20 21 (Entity, if any, on whose 22 behalf you are appearing) 23 24 (Address) 25 26 (Telephone number)

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Case 3:73-cv-00127-MMD-WGC Document 5 Filed 12/31/08 Page 13 of 113

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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Date: 5/30/08

Signature

Norman 1. Ruhl

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:
ThusTee of

(Title)

The Norman and Viviau Ruhl Living TrusT

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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Case 3:73-cv-00127-MMD-WGC Document 5 Filed 12/31/08 Page 14 of 113

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Date: <u>5 - 30 - 200</u> 8	Signature Printed/Typed Name	
	If you are acting on behalf of any entity, identify tha	t vou are
	acting as:	of
	(Title)	
	(Corporate, Trust, Partnership or other entity)	

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Case 3:73-cv-00127-MMD-WGC Document 5 Filed 12/31/08 Page 15 of 113

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			ent of 1602/2028 31/08 Page 16 of 113 Coclosed are the documents for myself and must deceased husband Toy C. Ruic
	1	Attorney:	documents for
	2		muself and mis
	3	Address:	husband
	4		T C Ruice
	5		Vay C. O)
	6	Phone Number:	
	7	Fax Number:	
	8	E-mail Address:	<u>.</u>
••	9		
,	10	PLEASE NOTE: Attorneys are remine electronic filing procedures of the U.S.	ded that they are required to comply with the District Court for District of Nevada.
,	11	state was also are admitted to the har	of this court, admitted to participate in a case pro
	12	hac vice, or who are authorized to rep	resent the United States and its agencies, shall be in the form prescribed by the
	13	Clerk of the Court and by these Electronic Filing Procedures (rev. Aug.	nic Fillig Procedures. U.S. Dist. Ct., D. 1804,
	14		
	15		anto D. Quic
-	16		(Signature)
er.	17		_
	18	,	Avita D. Ruic
	19		(Printed or typed Name)
	20		
	21	FILED RECEIVED SERVED ON COUNSEL/PARTIES OF RECORD	
. 1	22	COUNSEL/PARTIES OF RECORD	(Entity, if any, on whose
	23	JUN - 2 2008	behalf you are appearing)
	24	2000	
	25	CLERK US DISTRICT COURT DISTRICT OF NEVADA	(Address)
	26	BY:DEPUTY	(T) 1 l
	27		(Telephone number)

Case 9:737 v 00127 F 4 M M D W C 00 123 F 1 M M D W C 120 1340 ent 5 4 1 M C 12 1 M C 1340 ent 5 4 1 M C 134

1	1 Attorney:	
2		
3	3 Address:	
4	4	
5	5	
6	6 Phone Number:	
7	7 Fax Number:	
8	8 E-mail Address:	
9	9	
.0	PLEASE NOTE: Attorneys are reminded that they are requelectronic filing procedures of the U.S. District Court for District	nired to comply with the ict of Nevada.
.1	"Attorneys who are admitted to the bar of this court, admitted	o participate in a case pro
.2		es and its agencies, snall
۱3		' U.S. Dist. Ct., D. Nev.,
4	Lieuning Flocedures (167, 174g, 27, 2669) at 176,	
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23	COUNSEL/PARTIES OF RECULD behalf you	are appearing)
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NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 2 of 2

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30 MAY 2008 PM 3.T RENO NV 895



Case 3:73-cv-00127-MMD-WGC Document 5 Filed 12/31/08 Page 19 of 113

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

Susan L. Schneider, attorney for the United States of America TO:

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit
or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of
Summons or in the service of the Notice in Lieu of Summons.

Date: 11/2//2004 HARD ERUST Printed/Typed Name If you are acting on behalf of any entity, identify that you are (Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with

a notice of appearance and intent to participate.

Case 3:73-cv-00127-MMD-WGC Document 5 Filed 12/31/08 Page 20 of 113

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
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Date:8-7-08

Victoria Anne Schniedeberg
Victoria Anne Schniedeberg

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: TRUSTee

(Title) Schmied every FAMILY TRUST (Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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Case 3:73-cv-00127-MMD-WGC Document 5 Filed 12/31/08 Page 21 of 113

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

Susan L. Schneider, attorney for the United States of America TO:

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125. Subfile C-125-B, in the United States District Court for the District of Nevada.
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Date: 8-7-08

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are TRUSTER acting as:

(Title) Schmiedeberg FAmily TRUST

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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Case 3:73-cv-00127-MMD-WGC Document 5 Filed 12/31/08 Page 22 of 113

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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or to the jurisdiction or venue of the Court except for objections based on a def	fect in the Notice in Lieu of
Summons or in the service of the Notice in Lieu of Summons	1

Date: 5 28 08

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

of

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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Case 3:73-cv-00127-MMD-WGC Document 5 Filed 12/31/08 Page 23 of 113

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 5/28/08

Signature

1. Scott

Printed/Typed Name
If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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Case 3:73-cv-00127-MMD-WGC Document 5 Filed 12/31/08 Page 24 of 113

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
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5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 6/15/05

Jack

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

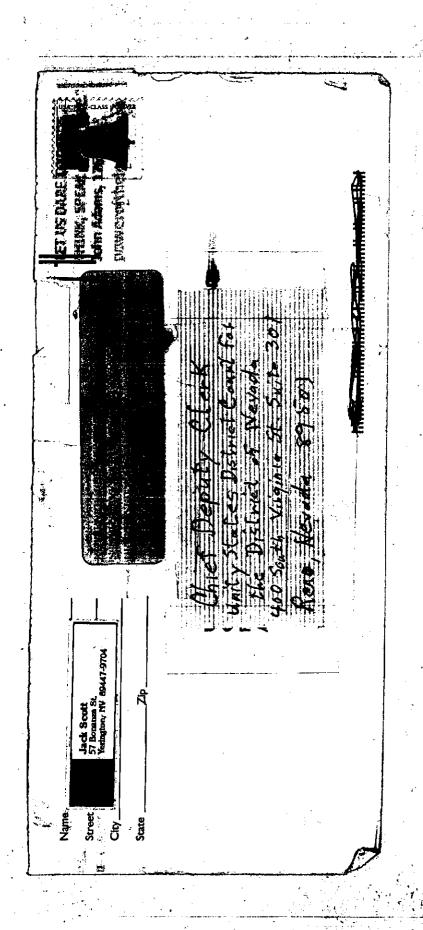
Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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Case ^C 3:73:4	Brown 127 Frink Dev Bourner Little on File 12/21/2008 1/038 1/039 25 of 113
	FILED RECEIVED ENTERED SERVED ON COUNSEL/PARTIES OF RECORD
	COUNSEL) FARTILES OF NECOND
1	DI THE INVEN STATES DISTRICT OF LONG
2	IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA
3	UNITED STATES OF AMERICA, CLERK US DISTRICT COURT DISTRICT OF NEVADA DEPUTY
4	Plaintiff,
5	WALKER RIVER PAIUTE TRIBE,) IN EQUITY NO. C-125
6	Plaintiff-Intervenor, SUBFILE NO. C-125-B
7) vs.
8	WALKER RIVER IRRIGATION DISTRICT,
9	a corporation, et al.,
10	NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE
11	1. I hereby enter my appearance in this sub-proceeding in this case.
12	2. I am filing this document with the District Court at the following address and as
13	directed on the Notice In Lieu of Summons:
14	Chief Deputy Clerk United States District Court for the
15	District of Nevada 400 South Virginia Street, Suite 301
16	Reno, Nevada 89501
17	3. I (or the entity on whose behalf I am acting) will retain all defenses or objections
18	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect
19	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.
20	4. If I (or the entity on whose behalf I am acting) have retained an attorney to
21	represent me in these proceedings, I identify that attorney below, along with his or her mailing
22	address, telephone number, facsimile number, and e-mail address:
23	
24	Attorney:
25	
26	Address:
27	
28	
	NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE (service), page 1 of 2

Case 3: 73-76-000127-FNNNBMW & Curpoblithent #164/62/31/084366 26 of 113

1	Phone Number:
2	Fax Number:
3	E-mail Address:
4	
5	PLEASE NOTE: Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.
6	"Attorneys who are admitted to the bar of this court, admitted to participate in a case pro
7	hac vice, or who are authorized to represent the United States and its agencies, shall be in the form prescribed by
8	the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.
9	
10	
11	1/0/4
12	(Signature)
13	(Signature)
14	Jack A. Scott
15	(Printed or typed Name)
16	
17	
18 19	(Entity, if any, on whose
20	behalf you are appearing)
21	
22	(Address)
23	(Telephone number)
24	(Telephone number)
25	
26	
27	



Case 3:73-cv-00127-MMD-WGC Document 5 Filed 12/31/08 Fage 28 of 113

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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Date: Time 1/08

Signature

Corporate

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

acting as:

(Title

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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Case 3:73-cv-00127-MMD-WGC Document 5 Filed 12/31/08 Page 29 of 113

U.S. DEPT. OF JUSTICE ENV. & NAT. RES. DIV. WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS DENVER, CO

TO: Susan L. Schneider, attorney for the United States of America

2008 NOV 24 AM 11: 16

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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Date: 11-18-08	Signature Signature Signature Signature	
	Printed/Typed Name	
	If you are acting on behalf of any entity, identify that	vou are
	acting as:	of
	(Title)	
	(Corporate, Trust, Partnership or other entity)	

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

Case 3:73-cv-00127-MMD-WGC Document 5 Filed 12/31/08 Page 30 of 113

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 5-27-08

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: _____(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

UNITED STATES OF AMERICA,	· ·
Plaintiff,	\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \
WALKER RIVER PAIUTE TRIBE,) IN EQUITY NO. C-125
Plaintiff-Intervenor,	SUBFILE NO. C-125-B
VS.	, }
WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,))
NOTICE OF APPEARANCE AND IN	TENT TO PARTICIPATE
I hereby enter my appearance in this su	b-proceeding in this case.
2. I am filing this document with the Dist	rict Court at the following address:
Chief Deputy Clerk United States District Court for the	
400 South Virginia Street, Suite 301 Reno, Nevada 89501	
3. In the envelope provided for return of	my Waiver of Service of Notice in Lieu of
Summons, I am mailing a copy of this document to:	
	rica
Environment & Natural Resources Div	ision
Littleton, Colorado 80160	
4. I (or the entity on whose behalf I am ac	eting) will retain all defenses or objections
o the lawsuit or to the jurisdiction or venue of the co	urt except for objections based on a defect
n the Notice in Lieu of Summons or in the service of	the Notice in Lieu of Summons.
5. If I (or the entity on whose behalf I am ac	ting) have retained an attorney to represent
me in these proceedings, I identify that attorney belo	w, along with his or her mailing address,
elephone number, facsimile number, and e-mail addr	ess:
	Plaintiff, WALKER RIVER PAIUTE TRIBE, Plaintiff-Intervenor, vs. WALKER RIVER IRRIGATION DISTRICT, a corporation, et al., NOTICE OF APPEARANCE AND IN 1. I hereby enter my appearance in this su 2. I am filing this document with the Dist Chief Deputy Clerk United States District Court for the District of Nevada 400 South Virginia Street, Suite 301 Reno, Nevada 89501 3. In the envelope provided for return of a Summons, I am mailing a copy of this document to: Susan L. Schneider Attorney for the United States of Amer United States Department of Justice Environment & Natural Resources Div P.O. Box 756 Littleton, Colorado 80160 4. I (or the entity on whose behalf I am account to the lawsuit or to the jurisdiction or venue of the count the Notice in Lieu of Summons or in the service of

Case 3:73-cv-00127-MMD-WGC Document 5 Filed 12/31/08 Page 32 of 113

Attorney: 1 2 Address: 3 4 5 Phone Number: 6 Fax Number: 7 E-mail Address: 8 9 PLEASE NOTE: Attorneys are reminded that they are required to comply with the 10 electronic filing procedures of the U.S. District Court for District of Nevada. 11 "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall 12 register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., 13 Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C. 14 15 16 (Signature) 17 18 19 (Printed or typed Name) 20 21 22 (Entity, if any, on whose behalf you are appearing) 23 24 25 (Address) 26 (Telephone number) 27

Case 3:73 cv-00127-MMD-WGC Document 5 Filed 12/31/08 Page 33 of 113

2 3 IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA 4 UNITED STATES OF AMERICA. 5 Plaintiff,) 6 In Equity No. C-125-ECR Subfile No. C-125-B 7 WALKER RIVER PAIUTE TRIBE, DISCLAIMER OF INTEREST IN 8 Plaintiff-Intervenor,) WATER RIGHTS AND NOTICE OF RELATED INFORMATION AND 9 ν. DOCUMENTATION SUPPORTING 10 DISCLAIMER WALKER RIVER IRRIGATION 11 DISTRICT. a corporation, et al., 12 13 Defendants. 14 15 The undersigned counter-defendant in the above action hereby notifies the Court and the 16 United States that the undersigned (or the entity on whose behalf the undersigned is acting) has 17 no interest in any water right within the categories set forth in Paragraph 3 of the Case 18 Management Order (Apr. 18, 2000) and, therefore, disclaims all interest in this action. 19 This disclaimer and notice shall be sent to the following two persons: 20 Linda Lea Sharer, Chief Deputy Clerk 21 United States District Court for the District of Nevada 22 400 South Virginia Street, Suite 301 Reno, NV 89501 23 And 24 Susan L. Schneider 25 United States Department of Justice 26 P.O. Box 756 Littleton, CO 80160 27 In addition, because the undersigned sold or otherwise conveyed ownership of all of the 28 DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION,

Case 3:73 cv-00127-MMD-WGC Document 5 Filed 12/31/08 Page 34 of 113

water rights that the undersigned (or the entity on whose behalf the undersigned is acting) once owned before the undersigned was served with a Waiver of Service of Notice in Lieu of Summons or by a Notice in Lieu of Summons, the undersigned provides the following additional information:

1. The name and address of the party or parties who sold or otherwise conveyed ownership:

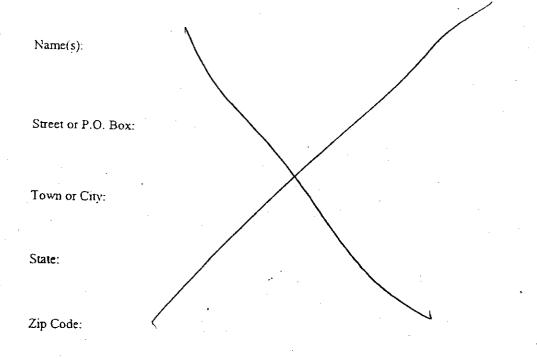
Name(s):

Town or City:

State:

Zip Code:

2. The name and address of each person or entity who acquired ownership



DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 2 of

Case 3:73-cv-00127-MMD-WGC Document 5 Filed 12/31/08 Page 35 of 113

3	
2	
3	3. Attached to or included with this notice is a copy of the (check appropriate
4	box(es)):
5	
6	Deed
7	☐ Court Order
8	Other Document.
9	
10	by which the change in ownership was accomplished.
11	4. The undersigned acknowledges that any person or entity who files a Disclaimer
12	of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently,
13	the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, but,
14	in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of
15	this litigation.
16	LL.
17	Executed this 14 day of June 2006
18	
19	
20	
21	CHA. Sigliton
22	[signature of counter-defendant]
23	
24	
25	Charles M. Singleton
26	[name of counter-defendant]
27	
28	Residential property - no water rights involve



Case 3:73-cv-00127-MN

Back to Search List

Secured Tax Inquiry

Sales Data

Personal Property

Assessor Home

Parcel Detail for Parcel # 004-382-08

	Description	D-
Total Acres 1.520	Ag Acres .000	W/R Acres 560
	<u>Improvements</u>	G
 Single-fam Detached 1	Non-dwell Units 0	Bdrm/Bath 3/2.00
Single-fam Attached 0	MH Hookups 0	Stories 📜
 Multi-fam Units 0	Wells 1	OCI
 Mobile Homes 0	Septic Tanks 1	un
 Total Dwelling Units 1	Bldg Sq Ft 2,016	
listo() triomovorous	Garage Sq Ft 616	Attch/Detch R
	Basement Sq Ft 0	Finished <equation-block></equation-block>

Legal Description

Subdivision PANAVISTA EST Lot 30 Block

Property Name

Add'l Addresses Assessor Maps

Location

Property Location 31 PANAVISTA CIR

Town MASON VALLEY

cations Code Table Code Table Re-appraisal Year 2006 Weighted Year 80 Neighted Year 80 Output Description Outp Appraisal Classifications

Zoning RR1 Current Land Use Code 200

Re-appraisal Group 3

Orig Constr Year 1999

Document History

Ownership History

Mailing Address 31 PANAVISTA CIR YERINGTON, NV 89447-0000

Assessed Owner Name ROSE M

Ownership

http://www1.lyon-county.org:403/cgi-bin/asw102?Parcel=438208

Vesting Doc#, Date 267957 10/31/01 Book/Page /

Map Document #s

Legal Owner Name ROSE M

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2	
3	FOR THE DISTRICT OF NEVADA
5	LINITED STATES OF AMERICA
6	1 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2
7) Subfile No. C-125-B WALKER RIVER PAIUTE TRIBE,
8	Plaintiff-Intervenor,) WATER RIGHTS AND NOTICE OF
10) DOCUMENTATION SUPPORTING) DISCLAIMER
11	WALKER RIVER IRRIGATION) DISTRICT,
12	a corporation, et al.,
13	Defendants.)
14	
15 16	The undersigned counter-defendant in the above action hereby notifies the Court and the
17	United States that the undersigned (or the entity on whose behalf the undersigned is acting) has
18	no interest in any water right within the categories set forth in Paragraph 3 of the Case
19	Management Order (Apr. 18, 2000) and, therefore, disclaims all interest in this action.
20	This disclaimer and notice shall be sent to the following two persons:
21	Linda Lea Sharer, Chief Deputy Clerk United States District Court for the District of Nevada
22	400 South Virginia Street, Suite 301
23	Reno, NV 89501
24	<u>And</u>
25 26	Susan L. Schneider United States Department of Justice P.O. Box 756
27	Littleton, CO 80160
28	In addition, because the undersigned sold or otherwise conveyed ownership of all of the
	DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION

Case 3:73-cv-00127-MMD-WGC Document 5 Filed 12/31/08 Page 38 of 113

1 water rights that the undersigned (or the entity on whose behalf the undersigned is acting) once 2 owned before the undersigned was served with a Waiver of Service of Notice in Lieu of 3 Summons or by a Notice in Lieu of Summons, the undersigned provides the following 4 additional information: 5 The name and address of the party or parties who sold or otherwise conveyed 1. 6 ownership: 7 Name(s): 8 9 Street or P.O. Box: 10 11 Town or City: 12 13 State: 14 15 Zip Code: 16 The name and address of each person or entity who acquired ownership 17 18 Name(s): 19 20 21 Street or P.O. Box-22 23 Town or City: 24 25 State: 26 27 Zip Code: 28

DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 2 of 4

Case 3:73-cv-00127-MMD-WGC Document 5 Filed 12/31/08 Page 39 of 113 1 2 Attached to or included with this notice is a copy of the (check appropriate 3. 3 box(es)): 4 5 Deed 6 Court Order 7 Other Document. 8 9 by which the change in ownership was accomplished. 10 The undersigned acknowledges that any person or entity who files a Disclaimer 4. 11 of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently, 12 the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, but, 13 in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of 14 this litigation. - 5 16 Executed this 14 day of June 200 6 18 19 20 21 22 23 24

ROSE SINGLETON [name of counter-defendant]

Residential property only-nowater rights

DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 3 of 4

25

26

27

28

Case 3:73-cv-00127-MMD-WGCs Document 5 Filed 12/318 Page 40 of 118

Bldg Sq Ft 2,016

Wells 1

Septic Tanks 1

Garage Sq Ft 616

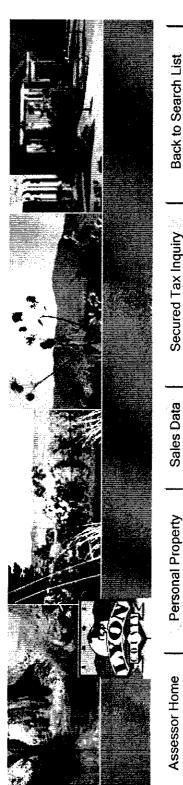
Basement Sq Ft 0

Ag Acres .000

Description

Non-dwell Units 0 MH Hookups 0

Improvements



Parcel Detail for Parcel # 004-382-08

	Total Acres 1.5	Single fam Detached 1	Single-fam Attached 0	Multi-fam Units 0	Mobile Homes 0	Total Dwelling Units 1	Improvement Detail	
	Add'l Addresses	Assessor Maps	Legal Description					
Location	Property Location 31 PANAVISTA CIR	Subdivision PANAVISTA EST 1 of 30 Block	Property Name					

Appraisal Classifications Current Land Use Code 200 Code Table Zoning RR1 Re-appraisal Group 3 Re-appraisal Year 2006 Orig Constr Year 1999 Orig Constr Year 1999

Ownership	
Assessed Owner Name ROSE M	
Mailing Address 31 PANAVISTA CIR	Ownership History
	Document History
Legal Owner Name ROSE M	
Vesting Doc#, Date 267957 10/31/01 Book/Page /	
Map Document #s	

Case 3:73-cv-00127-MMD-WGC Document 5 Filed 12/31/08 Page 41 of 113

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

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- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
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	Enom single	
Date:	Signature 0 /	_
	<u>Frin M. Singley</u>	
	Printed/Typed Name	,
	If you are acting on behalf of any entity, identify	that you are
	acting as:	of
	(Title)	
	(Corporate, Trust, Partnership or other entity)	<u>-</u>

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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Case 3:73-cv-00127-MMD-WGC Document 5 Filed 12/31/08 Page 42 of 113

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

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Date: 06/10/08

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: Begistered Agen

(Corporate, Trust, Partnership or other entity)

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Case 3:73-cv-00127-MMD-WGC Document 5 Filed 12/31/08 Page 43 of 113

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Date: 6 - 8-08

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)
ith Valley Saales Inc

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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1 IN THE UNITED STATES DISTRICT COURT 2 FOR THE DISTRICT OF NEVADA 3 JNITED STATES OF AMERICA, 4 Plaintiff. 5 WALKER RIVER PAIUTE TRIBE, IN EQUITY NO. C-125 6 Plaintiff-Intervenor, SUBFILE NO. C-125-B 7 VS. 8 WALKER RIVER IRRIGATION DISTRICT, a corporation, et al., 9 NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 10 11 I hereby enter my appearance in this sub-proceeding in this case. 1. 12 I am filing this document with the District Court at the following address: 2. 13 Chief Deputy Clerk United States District Court for the 14 District of Nevada 400 South Virginia Street, Suite 301 15 Reno, Nevada 89501 16 In the envelope provided for return of my Waiver of Service of Notice in Lieu of 3. 17 Summons, I am mailing a copy of this document to: 18 Susan L. Schneider Attorney for the United States of America 19 United States Department of Justice Environment & Natural Resources Division 20 P.O. Box 756 Littleton, Colorado 80160 21 I (or the entity on whose behalf I am acting) will retain all defenses or objections 4. 22 o the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect 23 n the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. 24 If I (or the entity on whose behalf I am acting) have retained an attorney to represent 5. 25 me in these proceedings, I identify that attorney below, along with his or her mailing address, 26 elephone number, facsimile number, and e-mail address: 27 28

Case 3:78-cv-00127-MMD-WGC Document 5 Filed 12/31/08 Page 45 of 113

٦	Attorney:
1	Attorney.
2	
3	Address:
4	
5	
6	Phone Number:
7	Fax Number:
8	E-mail Address:
	L-man Address.
9	
10	<u>PLEASE NOTE:</u> Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.
11	"Attorneys who are admitted to the bar of this court, admitted to participate in a case pro
12	hac vice, or who are authorized to represent the United States and its agencies, shall register as Filing Users of the System. Registration shall be in the form prescribed by the
13	Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.
14	Electronic Fining Flocedules (16v. Aug. 24, 2000) at 1.0.
15	Richard B. Muti
1.6	(Signature)
17	(- g-······
18	Richard B. Nuti
19	(Printed or typed Name)
20	
21	/ id Italian Konlock Tuc
22	Smith Valley Scales Inc. (Entity, if any, on whose
23	behalf you are appearing)
	P.O. Box 63
24	wellington, NU 89444
25	(Address)
26	775 - 465 - 2441 (Telephone number)
27	(Telephone number)

Case 3:73-cv-00127-MMD-WGC Document 5 Filed 12/31/08 Page 46 of 113

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I	(or the entity on who	ose behalf I am acti	ng) will retain all	l defenses or obje	ections to the lawsuit
or to the juri	sdiction or venue of	the Court except for	or objections base	ed on a defect in	the Notice in Lieu of
	r in the service of the				

Date: 1-29-8

__FXUMU

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

1		
2	IN THE UNITED STATES D FOR THE DISTRICT O	
3	UNITED STATES OF AMERICA,	
4	ŕ	\(\frac{1}{2}\)
5	Plaintiff,))
6	WALKER RIVER PAIUTE TRIBE,) IN EQUITY NO. C-125
7	Plaintiff-Intervenor,) SUBFILE NO. C-125-B
8	vs.)
9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,	
10	NOTICE OF APPEARANCE AND IN	TENT TO PARTICIPATE
11		1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
12	1. I hereby enter my appearance in this sul	
13	2. I am filing this document with the Distr	nct Court at the following address:
14	Chief Deputy Clerk United States District Court for the District of Nevada	
15	400 South Virginia Street, Suite 301 Reno, Nevada 89501	
16	3. In the envelope provided for return of n	ny Waiver of Service of Notice in Lieu of
17	Summons, I am mailing a copy of this document to:	
18	Susan L. Schneider	
19	Attorney for the United States of Ameri United States Department of Justice	
20	Environment & Natural Resources Divi P.O. Box 756	sion
21	Littleton, Colorado 80160	
22	4. I (or the entity on whose behalf I am act	ing) will retain all defenses or objections
23	o the lawsuit or to the jurisdiction or venue of the cou	rt except for objections based on a defect
24	n the Notice in Lieu of Summons or in the service of t	he Notice in Lieu of Summons.
25	5. If I (or the entity on whose behalf I am acti	ing) have retained an attorney to represent
26	me in these proceedings, I identify that attorney below	v, along with his or her mailing address,
27	elephone number, facsimile number, and e-mail addre	ss:

cv-00127-MMD-WGC Document 5 Filed 12/31/08 Page 48 of 113 Attorney: 1 2 Address: . 3 4 5 Phone Number: 6 Fax Number: 7 E-mail Address: 8 9 PLEASE NOTE: Attorneys are reminded that they are required to comply with the 10 electronic filing procedures of the U.S. District Court for District of Nevada. 11 "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall 12 register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., 13 Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C. 14 es Snegder 15 16 (Signature) 17 18 19 20 21 22 (Entity, if any, on whose behalf you are appearing) 23 24 25 (Address) 26

27

28

(Telephone number)

Case 3:73-cv-00127-MMD-WGC Document 5 Filed 12/31/08 Page 49 of 113

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125. Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 8-29-08

JUM Sn

Printed/Typed Name /

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

1		
2	IN THE UNITED STATES D FOR THE DISTRICT O	
3	UNITED STATES OF AMERICA,)
4	Plaintiff,))
5	WALKER RIVER PAIUTE TRIBE,)) IN EQUITY NO. C-125
6) SUBFILE NO. C-125-B
7	Plaintiff-Intervenor,) SUBFILE NO. C-125-B
8	VS.))
9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,))
10	NOTICE OF APPEARANCE AND INT	TENT TO PARTICIPATE
11	1. I hereby enter my appearance in this sub	-proceeding in this case
12	2. I am filing this document with the Distr	-
13		ict Court at the following address.
14	Chief Deputy Clerk United States District Court for the District of Nevada	
15	400 South Virginia Street, Suite 301 Reno, Nevada 89501	
16	3. In the envelope provided for return of m	ny Waiver of Service of Notice in Lieu of
17	Summons, I am mailing a copy of this document to:	
18	Susan L. Schneider	
19	Attorney for the United States of Ameri United States Department of Justice	ca
20	Environment & Natural Resources Divi- P.O. Box 756	sion
21	Littleton, Colorado 80160	
22	4. I (or the entity on whose behalf I am act	ing) will retain all defenses or objections
23	o the lawsuit or to the jurisdiction or venue of the cour	rt except for objections based on a defect
24	n the Notice in Lieu of Summons or in the service of the	he Notice in Lieu of Summons.
25	5. If I (or the entity on whose behalf I am acti	ng) have retained an attorney to represent
26	me in these proceedings, I identify that attorney below	, along with his or her mailing address,
27	elephone number, facsimile number, and e-mail address	SS:
28		

Case 3:73-cv-00127-MMD-WGC Document 5 Filed 12/31/08 Page 51 of 113

1	Attorney:
2	
3	Address:
4	
5	
6	Phone Number:
7	Fax Number:
8	E-mail Address:
9	
10	<u>PLEASE NOTE:</u> Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.
11	"Attorneys who are admitted to the bar of this court, admitted to participate in a case pro
12	hac vice, or who are authorized to represent the United States and its agencies, shall register as Filing Users of the System. Registration shall be in the form prescribed by the
13	Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.
14	
15	Ain Sings
16	(Signature)
17	
18	_ Jim Snyder
19	(Printed or typed Name)
20	
21	
22	(Entity, if any, on whose
23	behalf you are appearing)
24	
25	(Address)
26	(Telephone number)
27	(Telephone number)

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U.S. DEPT. OF JUSTICE ENY. & NAT. RES. DIV. DEMYER, CO

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

2008 DEC -TO: AM StradL. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

, / / .	Frince Sommers.	
Date: $1/25/08$	Signature LINDA Soin MEVS	
	Printed/Typed Name	
,	If you are acting on behalf of any entity, identify that	you are
	acting as:	of
	(Title)	
	(Corporate, Trust, Partnership or other entity)	

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

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WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Simmons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-123, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 11/25/2008	Signature C Sommers	
	Printed/Typed Name	
	If you are acting on behalf of any entity, identify that you a	re
	acting as:	of
	(Title)	
	(Corporate, Trust, Partnership or other entity)	

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

Susan L. Schneider, attorney for the United States of America TO:

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: <u>Aug 7-2008</u>
Address
15 NY JO LN

ESTATE OF DONA D SPAGNOL

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: HER HUSBAND

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: MAY 29 2008

8ignature

JOHN H SPAGNOL

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Title,

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS U.S. DEPT. OF BUSTICE ENV. & NAT. RES. DIV.

DENVER, CO

Susan L. Schneider, attorney for the United States of America TO:

2008 DEC -8 PM 12: 51

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 12/5/08

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: TRUSTEE of

(Title)

SPRING VALLEY TRUST

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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Case 3:73-cv-00127-MMD-WGC Document 5 Filed 12/31/08 Page 57 of 113

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

	Robert H Aloha trustee
Date: <u> </u>	Signature
	LERDY H STURKE + LOIS & STORKE FAMILY TRUST
	Printed/Typed Name
	If you are acting on behalf of any entity, identify that you are
	acting as: of
	(Title)
	(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

Casease7337	₩ <mark>ᲔᲗ१2₹Ქਸ਼₭₦₯</mark> ₩®®®®₫₫₰₦hen₭is	44168/292931788 Page 58 of 113
y ₁		RECEIVED SERVED ON COUNSEL/PARTIES OF RECORD
2	IN THE UNITED STATES I FOR THE DISTRICT	OF NEVADA MAY 2.9 000
3	UNITED STATES OF AMERICA,	CLEAR US DISTRICT COURT
4	Plaintiff,	T. D. T. D. MEVADA DEPUTY
	WALKER RIVER PAIUTE TRIBE,) IN EQUITY NO. C-125
6 7	Plaintiff-Intervenor,	SUBFILE NO. C-125-B
8	vs.	}
9	WALKER RIVER IRRIGATION DISTRICT, corporation, et al.,	}
10	NOTICE OF APPEARANCE AND IT	NTENT TO PARTICIPATE
11	1. I hereby enter my appearance in this s	ub-proceeding in this case.
12	2. I am filing this document with the District Court at the following address:	
13	Chief Deputy Clerk	
14	United States District Court for the District of Nevada	
15	400 South Virginia Street, Suite 301 Reno, Nevada 89501	
16	3. In the envelope provided for return of my waiver of Service of Notice in Elect of	
17	Summons, I am mailing a copy of this document to:	
18	Susan L. Schneider	
19	Attorney for the United States of Ame United States Department of Justice	
20	Environment & Natural Resources Division P.O. Box 756	
21	Littleton, Colorado 80160	
22	H .	acting) will retain all defenses or objections
23	o the lawsuit or to the jurisdiction or venue of the co	
24	1	
25		
26		
27	elephone number, facsimile number, and e-mail add	dress:
28		
	NOTICE OF APPEARANCE AND INTENT TO PA	RTICIPATE, page 1 of 2

- 16		
1	Attorney:	
2		
3	Address:	
4		
5		
6	Phone Number:	
	Fax Number:	
7		
8	E-mail Address:	
9		
10	<u>PLEASE NOTE:</u> Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.	
11	to the box of this court, admitted to participate in a case pro	
12	hac vice, or who are authorized to represent the United States and its agone of the form prescribed by the	
13	register as Filing Users of the System. Registration shall be in the form probable. Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at l.C.	
14		
15	Robert H. Stocke Trustee	
16	(Signature)	
17	LEROY H STORKE	
18	FAMILY TRUST	
19	(Printed or typed Name)	
20		
21		
22	(Entity, if any, on whose	
23	behalf you are appearing)	
24	P.O. Box 1103	
	<u> ΥΕΡΙΝΊΤΟ Ν΄ - Ν΄ Δ΄ 8944</u> 7 (Address)	
25	(Addiess) (775) 463.4092	
26	(Telephone number)	
27		

RENO NV 395

28 MAY 2008 PM 1

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PENO, NV. 89501



Case 3:73-cv-00127-MMD-WGC Document 5 Filed 12/31/08 Page 61 of 113

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit

or to the jurisdiction or venue of the Co	urt except for objections based on a defect in the Not	ice in Lieu of
Summons or in the service of the Notice	e in Lieu of Summons.	ice in Lieu of
Date: 8/1/08	Signatura Sulto	_
	Signature ames / Sulla!	~
/	Printed/Typed Name	_
	If you are acting on behalf of any entity, identify	y that vou are
	acting as:	of
	(Title)	
	(Corporate, Trust, Partnership or other entity)	<u> </u>

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

Case 3:73-cv-00127-MMD-WGC Document 5 Filed 12/31/08 Page 62 of 113

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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5. I (or the entity on whose behalf I am acting) will retain all defenses	or objections to the lawsuit
or to the jurisdiction or venue of the Court except for objections based on a de-	fect in the Notice in Lieu of
Summons or in the service of the Notice in Lieu of Summons.	

Date: 8/11/08

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

of

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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1		
2	IN THE UNITED STATES DIS FOR THE DISTRICT OF	TRICT COURT ^{AV} 7 2008
3	UNITED STATES OF AMERICA,	DISTRICT OF NEVADA
4	Plaintiff,	PY:
5	WALKER RIVER PAIUTE TRIBE,) IN EQUITY NO. C-125
6	Plaintiff-Intervenor,) SUBFILE NO. C-125-B
7	VS.))
8	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,)))
10	NOTICE OF APPEARANCE AND INTI	ENT TO PARTICIPATE
10		
12	1. I hereby enter my appearance in this sub-proceeding in this case.	
13	2. I am filing this document with the District Court at the following address and as directed on the Notice In Lieu of Summons:	
14	Chief Deputy Clerk United States District Court for the	
15	District of Nevada 400 South Virginia Street, Suite 301	
16	Reno, Nevada 89501	
17	 I (or the entity on whose behalf I am actin 	
18	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect	
19		
20	4. If I (or the entity on whose behalf I ar	
21	represent me in these proceedings, I identify that attorney below, along with his or her mailing	
22	address, telephone number, facsimile number, and e-rr	nail address:
23		
24	Attorney:	
25		
26	Address:	
27		
28		
	NOTICE OF APPEARANCE AND INTENT TO PARTIC	IPATE (service), page 1 of 2

Case 3: 73 78 000127 F N M D W & Curpot Lil 11 ent File of 12/31/08 P age 64 of 113

- 11	
1	Phone Number:
2	Fax Number:
3	E-mail Address:
4	
5	PLEASE NOTE: Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.
6	the box of this court, admitted to participate in a case DIO
7	hac vice, or who are authorized to represent the United States and its agencies, said register as Filing Users of the System. Registration shall be in the form prescribed by the Clork of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D.
8	Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at 1.C.
10	
11	
12	Priscella J. Wingson (Signature)
13	(Signature)
14	
15	Triscillathompson
16	(Printed or typed Name)
17	
18	(Entity, if any, on whose
19	behalf you are appearing)
20	294 Sunset Hills Dr.
21	(Address)
22	775 - 463 - 3059
23	(Telephone number)
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2.7	
28	

Case 3:73-cv-00127-MMD-WGC Document 5 Filed 12/31/08 Page 65 of 113

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit
or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of
Summons or in the service of the Notice in Lieu of Summons.

Date: 5-30-2008

Signature Laura M. Thrailkil

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

Case 3:78-cv-00127-MMD-WGC Document 5 Filed 12/31/08 Page 66 of 113

1			
2	IN THE UNITED STATES FOR THE DISTRICT	DISTRICT COURT OF NEVADA	
3	JNITED STATES OF AMERICA,)	
4	Plaintiff,)	
5	WALKER RIVER PAIUTE TRIBE,) IN EQUITY NO. C-125	
6	Plaintiff-Intervenor,) SUBFILE NO. C-125-B	
7)	
8 0	vs. WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,		
	NOTICE OF APPEARANCE AND IT	NTENT TO PARTICIPATE	
10	NOTICE OF ATTEARANCE AND I	VIIIVI IO IMMITOMINI I	
11	1. I hereby enter my appearance in this s	ub-proceeding in this case.	
12	2. I am filing this document with the District Court at the following address:		
13	Chief Deputy Clerk		
14	United States District Court for the District of Nevada		
15	400 South Virginia Street, Suite 301 Reno, Nevada 89501		
16		my Waiver of Service of Notice in Lieu of	
17	1		
18			
19	Susan L. Schneider Attorney for the United States of America United States Department of Justice		
20	Environment & Natural Resources Division P.O. Box 756		
21	Littleton, Colorado 80160		
22	4. I (or the entity on whose behalf I am acting) will retain all defenses or objections		
23	o the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect		
24	n the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.		
25	5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent		
26	me in these proceedings, I identify that attorney below, along with his or her mailing address,		
27	elephone number, facsimile number, and e-mail address:		
28			
	NOTICE OF APPEARANCE AND INTENT TO PAI	RTICIPATE, page 1 of 2	

Case 3:78-cv-00127-MMD-WGC Document 5 Filed 12/31/08 Page 67 of 113 Attorney: 1 2 Address: 3 4 5 Phone Number: 6 Fax Number: 7 E-mail Address: 8 9 PLEASE NOTE: Attorneys are reminded that they are required to comply with the 10 electronic filing procedures of the U.S. District Court for District of Nevada. 11 "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall 12 register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., 13 Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C. 14 15 16 (Signature) 17 18 19 (Printed or typed Name) 20 21 22 (Entity, if any, on whose behalf you are appearing) 23 24 25 (Address) 26 (Telephone number) 27

28

Case 3:73-cv-00127-MMD-WGC Document 5 Filed 12/31/08 Page 68 of 113

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 8-19-08

Signature

Signature

TIBBALS

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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1	·	COUNSEL/PARTIES OF RECORD
2	IN THE UNITED STATES DI FOR THE DISTRICT O	R NEVADA
3	UNITED STATES OF AMERICA.	CLERK US DISTRICT COURT DISTRICT OF NEVADA BY: DEPUTY
4	Plaintiff,) DEFOIT
5	WALKER RIVER PAIUTE TRIBE,) IN EQUITY NO. C-125
6	Plaintiff-Intervenor,	SUBFILE NO. C-125 B
7	·	
8	VS.	
9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,)
10''	NOTICE OF APPEARANCE AND INT	FENT TO PARTICIPATE
11	1. I hereby enter my appearance in this sub	p-proceeding in this case.
12	2. I am filing this document with the District Court at the following address:	
13	Chief Deputy Clerk	
14	United States District Court for the District of Nevada District of Nevada	
15	400 South Virginia Street, Suite 301 Reno, Nevada 89501	
. 16	3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of	
17	Summons, I am mailing a copy of this document to:	
13	Susan I Schneider	
19	Attorney for the United States of Ameri United States Department of Justice	
20	Environment & Natural Resources Division P.O. Box 756	
21	Littleton, Colorado 80160	· > 11 - 11 defences or objections
22		
23]	
24		
25	5. If I (or the entity on whose behalf I am acti	
26	me in these proceedings. I identify that attorney below, along with his or her mailing address,	
27	telephone number, and facsimile number:	
28	1 1	
	NOTICE OF APPEARANCE AND INTENT TO PART:	ICIPATE, page 1 of 2

	l.	
1	Attorney:	
2		
3	Address:	
4		
5		
6	Phone Number:	·
7	Fax Number:	
8		Joy m Illall
9		(Signature)
10		- FOADIC
11		Joy M TIBBALS (Printed or typed Name)
12		(Printed or typed Name)
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14		/Entity if any an whose
15		(Entity, if any, on whose behalf you are appearing)
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17		(Address)
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Chief Deputy Clerk United States District Court for the District of Nevada 400 South Virginia Street, Suite 301 Reno, Nevada 89501

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Case 3:73-cv-00127-MMD-WGC Document 5 Filed 12/31/08 Page 72 of 113

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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Date: 6/9/01

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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Case 3:73-cv-00127-MMD-WGC Document 5 Filed 12/31/08 Page 73 of 113

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

	Cora Toure	
Date: 9/12/08	Signature	
•	CORA TOWE	
	Printed/Typed Name	
	If you are acting on behalf of any entity, identify that	vou are
	acting as:	of
	(Title)	
	(Corporate, Trust, Partnership or other entity)	

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

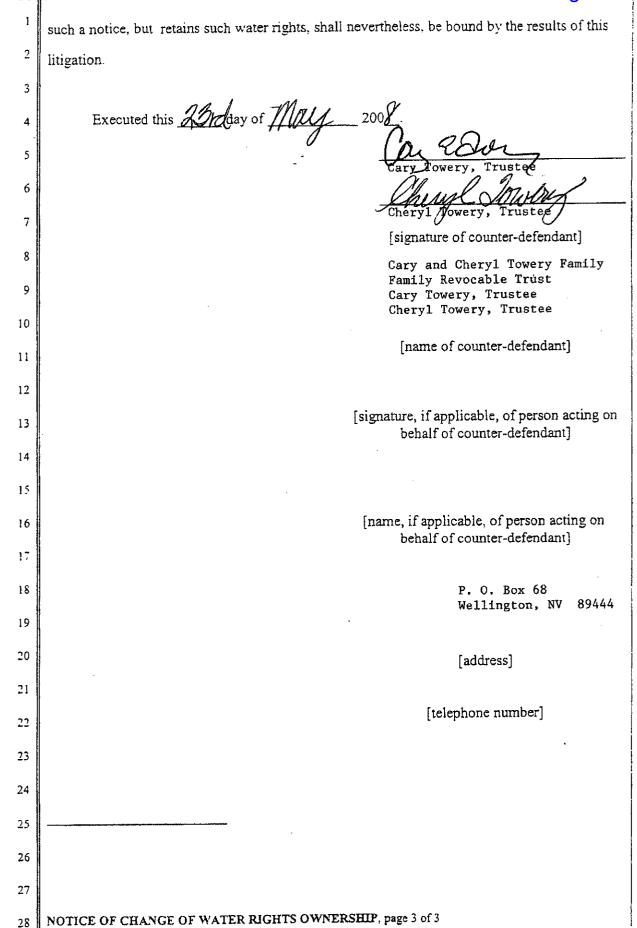
An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

1 2 3 4 5 IN THE UNITED STATES DISTRICT COURT 6 FOR THE DISTRICT OF NEVADA 7 UNITED STATES OF AMERICA. 8 Plaintiff. In Equity No. C-125-ECR 9 Subfile No. C-125-B WALKER RIVER PAIUTE TRIBE. 10 NOTICE OF CHANGE OF Plaintiff-Intervenor, OWNERSHIP OF WATER RIGHT 11 v. 12 WALKER RIVER IRRIGATION DISTRICT. 13 a corporation, et al., 14 Defendants. 15 16 The undersigned counter-defendant in the above action hereby notifies the Court and the 17 United States that the undersigned (or the entity on whose behalf the undersigned is acting) has 18 sold or otherwise conveyed ownership of all or a portion of a water right within one or more of 19 the categories set forth in Paragraph 3 of the Case Management Order and provides the 20 following information: 21 22 1. The name and address of the party or parties who sold or otherwise conveyed ownership: Cary Towery and Cheryl Towery, Trustees of the Cary and Cheryl Towery Family Revocable Trust 24 Name(s) 25 P. O. Box 68 26 Street or P.O. Box 27 NOTICE OF CHANGE OF WATER RIGHTS OWNERSHIP, page 1 of 3

Case Cast 3: 73/e00127/ElVHVADMV G6Cu Deocument File File 1/2 1/20/23 1/20/29 2 afgie 75 of 113

1		Well:	ington	NV	89444	
2		То	wn or City	State	ZipCode	
3	2.	The name an	d address of e	ach person or	entity who acquired	ownership
4		CA'	rs investmen	NTS, LLC		
5			P. 0	Name(s) Box 68		
6			St	rees or P.O. Box		
7			lington vn or City	NV State	89444 ZipCode	
8		A secondaria di secondaria		ah dhin madan	ia a a	
9	3.	Attached to c	r meiuded wii	in this notice	is a copy of the (chec	ж арргорпасе
10	box(es)):	V-V	. .			
11		***	Deed			
12		0	Court Order			
	ltilebeke	-1	Other Docume			
13		change in own	•			fles e Netice of
14	4.	_		-	person or entity who	
15		•			ultimately responsib	İ
16	oi mis ming.	Consequentry,	nie minerziki	ied ackilowie	dges that any person	or entity who mes
!-			•			
18	**					
19		This -	araa ahali ba c	ant to the follo	wing two persons:	
20					wing two persons.	
21		Linda Lea Sha United States I			of Nevada	
22		400 South Virg Reno, NV 895	,	ne 301		
		<u>.And</u>			•	
23		Susan L. Schne	eider			
24		United States I P.O. Box 756		fustice		
25		Littleton, CO	80160			
26						
27						
28	NOTICE OF C	HANGE OF WA	TER RIGHTS (OWNERSHIP,	page 2 of 3	1

Case 3:463-124-000127-EMNADMW 6-GuiDencument-fie-Fithend/202831/1980-Porge 76 of 113



*** THIS IS AN UNOFFICIAL COPY ***

RECORDING REQUESTED BY AND MAIL TO:

Cary Towery
P.O. Box 68
Wellington, NV 89444
APN: 10-351-51

DOC # 422923

03/24/2888 98 23 PM

Official Record

Requested By

HICHBEL RONE

Lyon County - NV

Lyon County - NV
Mary C Hilligan - Recorder
Page 1 of 3 Fee \$16 00
Recorded By AT RATE



RPTT#7

GRADA BARGAIN, SALE DEED

THIS INDENTORE made the 21 day of March, Two Thousand Right (2008), for good and valuable consideration, the receipt of which is hereby acknowledged Grantor, CARY TOWERY and CHERYL TOWERY, Trustees of the CARY and CHEEKL TOWERY FAMILY REVOCABLE FRANTOR), TRUST, u.t.d. 10/26/06 (hereinafte bargains and sells to CATS INVESTMENTS, LLC, a Nevada limited liability company (hereinafter GRANTEE), and to the heirs and assigns of such GRANTEE forever, all of that interest of GRANTOR located in State of Nevada, County of Lyon, Assessor 10-351-51, commonly known as 99 Lower Colony Road, Welfington, Nevada. Such conveyance to GRANTEE is more particularly described, and previously recorded as Document No. 395245, as follows:

SEE EXHIBIT "A" ATTACHED HERETO

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise

*** THIS IS AN UNOFFICIAL COPY ***

422923

03/24/2008 092 of 3

appertaining, and any reversions, remainders, rents, issues or profits thereof.

Witness my hand this 21 day of March, 2008.

GRANTORS:

CARY TOWERY Trustee Cary and Cheryl Towery Family Revocable Trust u.t.d. 10/2/06 CHERYL TOWERY, Trustee Cary and Cheryl Towery Family Revocable Trust u.t.d. 10/26/06

NOWLEDGEMENT

STATE OF NEVADA

COUNTY OF DOUGLAS)

On March Z_{I} , 2008 before me, the undersigned, a Notary Public in and for said County and State, personally appeared CARY TOWERY and CHERYL TOWERY known to me to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same.

WITNESS my hand and official real

SONYA M. KOENIG
NOTARY PUBLIC
STATE OF NEWADA
Appl Recorded in Douglas County
My Appl Expires Amulery 31, 2012
NO 00-60331-5

NOTARY EUBLIC

De

*** THIS IS AN UNOFFICIAL COPY ***

422923

03/24/2008 003 of 3

EXHIBIT "A"

All that certain real property situate in the County of Lyon, State of Nevada, described as follows:

A parcel of land within the N ½ of Section 34 and the S ½ of Section 27 all in Township 11 North, Range 23 Bast, M.D.B. M.D. Lyon County, Nevada and more particularly described as follows:

Commencing at the center one quarter of Section 34, Township 11 North, Range 23 East,

M.D.B.&M; thence N9"

"Vea distance of 2, 488 12 feet (tie from Record Map No. 146629) to a

"pipe with plug stamped H. Siss which is the TRUE POINT OF BEGINNING; thence

S88°40'35"B a distance of 220 of feet to a %" pipe with plug stamped PLS 3519; thence S88°57'20"E

a distance of 373 83 feet to a % pipe with plug stamped PLS 3519; thence N32°41'44"B a distance of

88.48 feet to a %" pipe with plug stamped PLS 3519; thence S88°07'40"E a distance of 85 82 feet to a

%" pipe with plug stamped PLS 3519; thence S88°07'35"B a distance of 446.03 feet to a %" pipe with

plug stamped PLS 3519; thence S85°48'38"B and plug stamped PLS 3519; thence

N00°53'36"W along said west line a distance of 13.21 feet to a %" pipe with plug stamped RLS

4045; thence N00°44'06" W along said west line a distance of 174.92 feet to a 5/8" rebar with cap

stamped PLS 9393; thence N85°48'38"W a distance of 174.92 feet to a 5/8" rebar with cap

stamped PLS 9393; thence N85°48'38"W a distance of 695 39 feet to a 5/8" rebar with cap stamped

PLS 9393; thence N85°31'08"W a distance of 695 39 feet to a 5/8" rebar with cap stamped

PLS 9393; thence N85°31'08"W a distance of 695 39 feet to a 5/8" rebar with cap stamped

PLS 9393; thence N85°31'08"W a distance of 695 39 feet to a 5/8" rebar with cap stamped

PLS 9393; thence S75°48'03"W a distance of 695 39 feet to a 5/8" rebar with cap stamped

PLS 9393; thence S75°48'03"W a distance of 87.13 feet to a 5/8 polar with cap stamped

PLS 9393; thence S61°43'30"W a distance of 87.15 feet to a 5/8" rebar with cap stamped

PLS 9393; thence S61°43'50"W a distance of 87.15 feet to a 5/8" rebar with cap stamped

PLS 9393; thence S61°43'50"W a distance of 87.15 feet to a 5/8" rebar with cap stamped

PLS 9393; thence S61°43'50"W a distance of 87.15 feet to a 5/8" rebar with cap stamped

PLS 9393; thence S61°43'50"W a distance of 87.15 feet to a 5/8" rebar with cap stamped

PLS 9393; thence S61°43'50"W a distance of 87.15

Reference is hereby made to that certain Record of Survey to Support a Boundary Line Adjustment for Jeffrey and Sheri L Peterson recorded in the Official Records of Lyon County, Nevada on February 9, 2000 as File No. 244261.

NOTE Legal description previously contained in deed recorded November 10, 2004 as Document No. 335418

TOGETHER WITH ALL WATER AND WATER RIGHTS APPURTENANT TO THE HEREIN DESCRIBED PROPERTY

Case 3:73-cv-00127-MMD-WGC Document 5 Filed 12/31/08 Page 80 of 113

RECORDING REQUESTED BY AND MAIL TO:

RPT +17 Cary Towery P.O. Box 68 Wellington, NV 89444 DOC # 429279

07/23/2008

12 45 PM

Official Record

Requested By
ROWE & HALES LLP

Lyon County - NV
Mary C Milligan - Recorder
Page 1 of 3 Fee \$16 00
Recorded By AT RPTT



GRANT, BARGAIN, SALE DEED

THIS INDENTURE made the 18 day of July, Two Thousand Eight (2008), for good and valuable consideration, the receipt of which is hereby acknowledged, Grantor, CARY TOWERY and CHERYL TOWERY, (hereinafter GRANTORS) hereby grants, bargains and sells to CARY TOWERY and CHERYL TOWERY, Trustees of the CARY AND CHERYL TOWERY FAMILY REVOCABLE TRUST, dated: October 26, 2006 (hereinafter GRANTEE), and to the heirs and assigns of such GRANTEE forever, all of that interest of GRANTOR located in State of Nevada, County of Lyon, Assessor's Parcel No. 10-351-51, commonly known as 99 Lower Colony Road, Wellington, Nevada. Such conveyance to GRANTEE is more particularly described, and previously recorded as Document No. 422923, as follows:

SEE EXHIBIT "A" ATTACHED HERETO

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise

Case 3:73-cv-00127-MMD-WGC Document 5 Filed 12/31/08 Page 81 of 113

appertaining, and any reversions, remainders, rents, issues or profits thereof.

Witness my hand this <u>18</u> day of July, 2008.

GRANTORS:

ARY TOWERY

CHERYL TOWERY

ACKNOWLEDGEMENT

STATE OF NEVADA

88.

COUNTY OF DOUGLAS)

On July 18, 2008, before me, the undersigned, a Notary Public in and for said County and State, personally appeared CARY TOWERY and CHERYL TOWERY known to me to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same.

WITNESS my hand and official seal.

NOTARY PUBLIC

KIM S. LEAVITT
NOTARY PUBLIC
STATE OF NEVADA
Appt Recorded in Lyon County
My Appt. Expires January 31, 2012
No. 95-0980-12

EXHIBIT "A"

All that certain real property situate in the County of Lyon, State of Nevada, described as follows:

A parcel of land within the N ½ of Section 34 and the S ½ of Section 27 all in Township 11 North, Range 23 East, M.D.B.&M., Lyon County, Nevada and more particularly described as follows:

Commencing at the center one-quarter of Section 34, Township 11 North, Range 23 East, M.D.B.&M.; thence N9°14'22"W a distance of 2, 488.12 feet (tie from Record Map No. 146629) to a 3/2" pipe with plug stamped PLS 3519 which is the TRUE POINT OF BEGINNING; thence S88°40'35"E a distance of 220.64 feet to a %" pipe with plug stamped PLS 3519; thence S88°57'20"E a distance of 373.83 feet to a 1/4" pipe with plug stamped PLS 3519; thence N32°41'44"B a distance of 98.48 feet to a 3/4" pipe with plug stamped PLS 3519; theace S88°07'40"E a distance of 85.82 feet to a %" pipe with plug stamped PLS 3519; thence S88°09'35"E a distance of 446.93 feet to a %" pipe with plug stamped PLS 3519; thence S85°48'38"E a distance of 488.09 feet to a point on the west line of Lower Colony Road which is marked by a 3/2" pipe with plug stamped PLS 3519; thence N00°53'36"W along said west line a distance of 151.32 feet to a "" pipe with plug stamped RLS 4045; thence N00°44°06" W along said west line a distance of 174.92 feet to a 5/8" rebar with cap stamped PLS 9393; thence N85°48'38"W a distance of 670.15 feet to a 5/8" rebar with cap stamped PLS 9393; thence N85°31'08"W a distance of 695.39 feet to a 5/8" rebar with cap stamped PLS 4045; thence along a curve to the right, having a radial bearing of N63°30'50"W, with a radius of 85.96 feet, through a deflection angle of 53°58'07", an arc length of 80.97 feet to a 5/8" rebar with cap stamped RLS 4045; thence S75°48'03"W a distance of 87.13 feet to a 5/8" rebar with cap stamped PLS 9393; thence along a curve to the left, having a radial bearing of \$15°04'19'B, with a radius of 432.36 feet, through a deflection angle of 13°11'51"; an arc length of 99.59 feet to a 5/8" rebar with cap stamped PLS 9393; thence S61°43'50"W a distance of 71.52 feet to a 5/8" rebar with cap stamped RLS 4045; thence N89°59'55"W a distance of 58.05 feet to a point; thence along a curve to the right, having a radial bearing of N76°10'00"W, with a radius of 1,334.67 feet, through a deflection angle of 2°03'19". an arc length of 47.88 feet to a point; thence S16°41'20"W a distance of 91.12 feet to a point; thence along a curve to the left, with a radius of 330.44 feet, through a deflection angle of 30°25'31" an arc length of 175.47 feet to a point; thence S88°40'52"E a distance of 103.81 feet to the TRUE POINT OF BEGINNING.

Reference is hereby made to that certain Record of Survey to Support a Boundary Line Adjustment for Jeffrey and Sheri L. Peterson recorded in the Official Records of Lyon County, Nevada on February 9, 2000 as File No 244261

NOTE: Legal description previously contained in deed recorded November 10, 2004 as Document No. 335418.

TOGETHER WITH ALL WATER AND WATER RIGHTS APPURTENANT TO THE HEREIN DESCRIBED PROPERTY.

Case 3:73-cv-00127-MMD-WGC Document 5 Filed 12/31/08 Page 83 of 113

APN 1035151 RECORDING REQUESTED BY AND MAIL TO: 4 MAIL TAX STATEMENT TO,

Cary Towery P.O. Box 68 Wellington, NV 89444 07/23/2008 12 43 PM Official Record

Requested By ROWE & HALES LLP

Lyon County - NV
Mary C Milligan - Recorder
Page 1 of 3 Fee \$16 00
Recorded By AT RPTT



RPTT: #7

GRANT, BARGAIN, SALE DEED

THIS INDENTURE made the 16 day of July, Two Thousand Eight (2008), for good and valuable consideration, the receipt of which is hereby acknowledged, Grantor, CARY TOWERY and CHERYL TOWERY, Trustees of the CARY and CHERYL TOWERY FAMILY REVOCABLE TRUST, u.t.d. 10/26/06 (hereinafter "GRANTOR") hereby grants, bargains and sells to CARY TOWERY and CHERYL TOWERY, husband and wife as joint tenants (hereinafter GRANTEE), and to the heirs and assigns of such GRANTEE forever, all of that interest of GRANTOR located in State of Nevada, County of Lyon, Assessor's Parcel No. 10-351-51, commonly known as 99 Lower Colony Road, Wellington, Nevada. Such conveyance to GRANTEE is more particularly described, and previously recorded as Document No. 422923, as follows:

SEE EXHIBIT "A" ATTACHED HERETO

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise

appertaining, and any reversions, remainders, rents, issues or profits thereof.

Witness my hand this 18 day of July, 2008.

GRANTORS:

CARY TOWERY, Trustee

Cary & Cheryl Towery Family

Revocable Trust u.t.d. 10/26/06

HERYL TOWNRY, Trustee

Cary & Cheryl Towery Family Revocable Trust u.t.d. 10/26/06

ACKNOWLEDGEMENT

STATE OF NEVADA

ss.

COUNTY OF DOUGLAS)

On July 18, 2008, before me, the undersigned, a Notary Public in and for said County and State, personally appeared CARY TOWERY and CHERYL TOWERY known to me to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same.

WITNESS my hand and official seal.

NOTARY PUBLIC

KIM S. LEAVITT
NOTARY PUBLIC
STATE OF NEVADA
Appt Recorded in Lyon County
My Appt Expires January 31, 2012
NO 96-0880-12

EXHIBIT "A"

All that certain real property situate in the County of Lyon, State of Nevada, described as follows:

A parcel of land within the N ½ of Section 34 and the S ½ of Section 27 all in Township 11 North, Range 23 East, M.D.B.&M., Lyon County, Nevada and more particularly described as follows:

Commencing at the center one-quarter of Section 34, Township 11 North, Range 23 East, M.D.B.&M.; thence N9°14'22"W a distance of 2, 488.12 feet (tie from Record Map No. 146629) to a 3/2" pipe with plug stamped PLS 3519 which is the TRUE POINT OF BEGINNING; thence S88°40'35"E a distance of 220.64 feet to a 1/4" pipe with plug stamped PLS 3519; thence S88°57'20"E a distance of 373.83 feet to a 1/2" pipe with plug stamped PLS 3519; thence N32°41'44"B a distance of 98.48 feet to a 3/4" pipe with plug stamped PLS 3519, thence S88°07'40"E a distance of 85.82 feet to a 34" pipe with plug stamped PLS 3519; thence S88°09'35"E a distance of 446.03 feet to a 34" pipe with plug stamped PLS 3519; thence S85°48'38"R a distance of 488.09 feet to a point on the west line of Lower Colony Road which is marked by a 3/4" pape with plug stamped PLS 3519; thence N00°53°36"W along said west line a distance of 151.32 feet to a %" pipe with plug stamped RLS 4045; thence N00°44°06" W along said west line a distance of 174.92 feet to a 5/8" rebar with cap stamped PLS 9393; thence N85°48'38"W a distance of 670.15 feet to a 5/8" rebar with cap stamped PLS 9393; thence N85°31'08"W a distance of 695.39 feet to a 5/8" rebar with cap stamped PLS 4045; thence along a curve to the right, having a radial bearing of N63°30'50"W, with a radius of 85.96 feet, through a deflection angle of 53°58'07", an arc length of 80.97 feet to a 5/8" rebar with cap stamped RLS 4045; thence S75°48'03"W a distance of 87.13 feet to a 5/8" rebar with cap stamped PLS 9393; thence along a curve to the left, having a radial bearing of \$15°04'19'B, with a radius of 432.36 feet, through a deflection angle of 13°11'51"; an arc length of 99.59 feet to a 5/8" rebar with cap stamped PLS 9393; thence S61°43'50"W a distance of 71.52 feet to a 5/8" rebar with cap stamped RLS 4045; thence N89°59'55"W a distance of 58.05 feet to a point; thence along a curve to the right, having a radial bearing of N76°10'00"W, with a radius of 1,334.67 feet, through a deflection angle of 2°03'19", an arc length of 47.88 feet to a point; thence S16°41'20"W a distance of 91.12 feet to a point; thence along a curve to the left, with a radius of 330.44 feet, through a deflection angle of 30°25'31" an arc length of 175.47 feet to a point; thence S88°40'52"E a distance of 103.81 feet to the TRUE POINT OF BEGINNING.

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NOTE: Legal description previously contained in deed recorded November 10, 2004 as Document No. 335418.

TOGETHER WITH ALL WATER AND WATER RIGHTS APPURTENANT TO THE HEREIN DESCRIBED PROPERTY

Case 3:73-cv-00127-MMD-WGC Document 5 Filed 12/31/08 Page 86 of 113

APN:1035[5]
RECORDING REQUESTED BY AND
MAIL TO: Y MAIL TAX STATEMENT
TO:

Cary Towery P.O. Box 68 Wellington, NV 89444 DOC # 4292/6
07/23/2008 12 42 PM
Official Record
Requested By

Requested By ROWE & HALES LLP

Lyon County - NV
Mary C. Milligan - Recorder
Page 1 of 3 Fee \$15 00
Recorded By AT RPTT



PD. Kox 2080 Minden NU 89423

RPTT:#7

GRANT, BARGAIN, SALE DEED

THIS INDENTURE made the 18 day of July. Two Thousand Eight (2008), for good and valuable consideration, the receipt of which is hereby acknowledged, Grantor, CATS INVESTMENTS, LLC, a Nevada Limited Liability Company (hereinafter "GRANTOR") hereby grants, bargains and sells to CARY TOWERY and CHERYL TOWERY, Trustees of the CARY and CHERYL TOWERY FAMILY REVOCABLE TRUST, u.t.d. 10/26/06 (hereinafter GRANTEE), and to the heirs and assigns of such GRANTEE forever, all of that interest of GRANTOR located in State of Nevada, County of Lyon, Assessor's Parcel No. 10-351-51, commonly known as 99 Lower Colony Road, Wellington, Nevada. Such conveyance to GRANTEE is more particularly described, and previously recorded as Document No. 422923, as follows:

SEE EXHIBIT "A" ATTACHED HERETO

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise

appertaining, and any reversions, remainders, rents, issues or profits thereof.

Witness my hand this 16 day of July, 2008.

GRANTORS:

CARY TOWERY, MANAGER CATS INVESTMENTS, LLC CHERYL TOWERY, MANAGER CATS INVESTMENTS, LIC

ACKNOWLEDGEMENT

STATE OF NEVADA

88.

COUNTY OF DOUGLAS)

On July 18, 2008, before me, the undersigned, a Notary Public in and for said County and State, personally appeared CARY TOWERY and CHERYL TOWERY known to me to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same.

WITNESS my hand and official seal.

NOTARY PUBLIC

KIM S. LEAVITT

NOTARY PUBLIC

STATE OF NEVADA

Appl Recorded in Lyon County

My Appl. Expires January 31, 2012

NO 95-0980-12

EXHIBIT "A"

All that certain real property situate in the County of Lyon, State of Nevada, described as follows:

A parcel of land within the N ½ of Section 34 and the S ½ of Section 27 all in Township 11 North, Range 23 East, M.D.B.&M., Lyon County, Nevada and more particularly described as follows:

Commencing at the center one-quarter of Section 34, Township 11 North, Range 23 East, M.D.B.&M.; thence N9°14'22"W a distance of 2, 488.12 feet (tie from Record Map No. 146629) to a 3/4" pipe with plug stamped PLS 3519 which is the TRUE POINT OF BEGINNING; thence S88°40'35"E a distance of 220.64 feet to a 1/4" pipe with plug stamped PLS 3519; thence S88°57'20"E a distance of 373.83 feet to a 1/2" pipe with plug stamped PLS 3519; thence N32°41'44"B a distance of 98.48 feet to a 1/2" pipe with plug stamped PLS 3519; thence S88°07'40"E a distance of \$5.82 feet to a 34" pipe with plug stamped PLS 3519; thence S88"09'35"B a distance of 446.03 feet to a 14" pipe with plug stamped PLS 3519; thence S85°48'38"E a distance of 488.09 feet to a point on the west line of Lower Colony Road which is marked by a 1/2" pipe with plug stamped PLS 3519; thence N00°53°36"W along said west line a distance of 151.32 feet to a "" pipe with plug stamped RLS 4045; thence N00°44'06" W along said west line a distance of 174.92 feet to a 5/8" rebar with cap stamped PLS 9393; thence N85°48'38"W a distance of 670.15 feet to a 5/8" rebar with cap stamped PLS 9393; thence N85°31'08"W a distance of 695.39 feet to a 5/8" rebar with cap stamped PLS 4045: thence along a curve to the right, having a radial bearing of N63°30'50"W, with a radius of 85.96 feet, through a deflection angle of 53°58'07", an arc length of 80.97 feet to a 5/8" rebar with cap stamped RLS 4045; thence S75°48'03"W a distance of 87.13 feet to a 5/8" rebar with cap stamped PLS 9393: thence along a curve to the left, having a radial bearing of S15°04'19'E, with a radius of 432.36 feet. through a deflection angle of 13°11'51"; an arc length of 99.59 feet to a 5/8" rebar with cap stamped PLS 9393; thence S61°43'50"W a distance of 71.52 feet to a 5/8" rebar with cap stamped RLS 4045; thence N89°59'55"W a distance of 58.05 feet to a point, thence along a curve to the right, having a radial bearing of N76°10'00"W, with a radius of 1,334.67 feet, through a deflection angle of 2°03'19". an arc length of 47.88 feet to a point; thence S16°41'20"W a distance of 91.12 feet to a point; thence along a curve to the left, with a radius of 330.44 feet, through a deflection angle of 30°25'31" an arc length of 175.47 feet to a point; thence S88°40'52"E a distance of 103.81 feet to the TRUE POINT OF BEGINNING

Reference is hereby made to that certain Record of Survey to Support a Boundary Line Adjustment for Jeffrey and Sheri L. Peterson recorded in the Official Records of Lyon County, Nevada on February 9, 2000 as File No. 244261.

NOTE: Legal description previously contained in deed recorded November 10, 2004 as Document No. 335418

TOGETHER WITH ALL WATER AND WATER RIGHTS APPURTENANT TO THE HEREIN DESCRIBED PROPERTY.

Case 3:73-cv-00127-MMD-WGC Document 5 Filed 12/31/08 Page 89 of 113

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 2/27/08

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: Their attorney

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

Case 3:73-cv-00127-MMD-WGC Document 5 Filed 12/31/08 Page 90 of 113

1	
2	IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA
3	UNITED STATES OF AMERICA,)
4) Plaintiff,
5 ·	WALKER RIVER PAIUTE TRIBE,) IN EQUITY NO. C-125
6	Plaintiff-Intervenor, SUBFILE NO. C-125-B
7	vs.
8	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,
10	NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE
11	
12	 I hereby enter my appearance in this sub-proceeding in this case.
13	2. I am filing this document with the District Court at the following address and as directed on the Notice In Lieu of Summons:
14	Chief Deputy Clerk
15	United States District Court for the District of Nevada
16	400 South Virginia Street, Suite 301 Reno, Nevada 89501
17	3. I (or the entity on whose behalf I am acting) will retain all defenses or objections
18	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect
19	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.
20	4. If I (or the entity on whose behalf I am acting) have retained an attorney to
21	represent me in these proceedings, I identify that attorney below, along with his or her mailing
22	address, telephone number, facsimile number, and e-mail address:
23	
24	Attorney: Kurt Bonds
25	Alverson, Taylor, Mortensen + Sanders
26	Address: 7401 W. Charleston Blud.
27	Las Vegas, NV 89117
ı	<u> </u>

Case 3:73-cv-00127-MMD-WGC Document 5 Filed 12/31/08 Page 91 of 113

1	Phone Number: (702) 384-7000
2	Fax Number: (702) 385 - 7000
3	E-mail Address: Kbonds @ alverson tay Wr. com
4	, tookes c
	PLEASE NOTE: Attorneys are reminded that they are required to comply with the
5	electronic filing procedures of the U.S. District Court for District of Nevada.
б	"Attorneys who are admitted to the bar of this court, admitted to participate in a case pro
7	hac vice, or who are authorized to represent the United States and its agencies, shall register as Filing Users of the System. Registration shall be in the form prescribed by
8	the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.
9	
10	
11	
12	Thur B.
13	(Signature)
14	
15	Kurt Bonds
16	(Printed or typed Name)
17	Tri-State Motor Transit(o.
18	James Wingfield
19	(Entity, if any, on whose
20	behalf you are appearing)
	PO Box 113
21	(Address) Jophn, MO 64802-
22	800-238-8768
23	(Telephone number)
24	
25	

3:73-cv-00127-MMD-WGC Document 5 Filed 12/31/08 Page 92 of 113 U.S. DEPT. OF ASSTICE ENV. & HAT. RES. DIV.

DENVER, CO WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

2008 NOV 10 PM 1: 10
Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
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- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 11-2-08 Printed/Typed Name If you are acting on behalf of any entity, identify that you are (Title) (Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

This was very confusing.

I found this
paper work to be
very confusing.
No phone# to contact
Someone for was
clarification was
included in the
included in the
summons packet.
Summons packet.

Case 3:73-cv-00127-MMD-WGC Document 5 Filed 12/31/08 Page 1 DEHVER, CO IN THE UNITED STATES DISTRICT COUNTNOY 10 PM 1: 10 2 FOR THE DISTRICT OF NEVADA 3 INITED STATES OF AMERICA, 4 Plaintiff, 5 IN EQUITY NO. C-125 WALKER RIVER PAIUTE TRIBE, 6 SUBFILE NO. C-125-B Plaintiff-Intervenor, 7 VS. 8 **VALKER RIVER IRRIGATION DISTRICT,** corporation, et al., 9 NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 10 11 I hereby enter my appearance in this sub-proceeding in this case. 1. 12 I am filing this document with the District Court at the following address: 2. 13 Chief Deputy Clerk United States District Court for the 14 District of Nevada 400 South Virginia Street, Suite 301 15 Reno, Nevada 89501 16 In the envelope provided for return of my Waiver of Service of Notice in Lieu of 3. 17 lummons, I am mailing a copy of this document to: 18 Susan L. Schneider Attorney for the United States of America 19 United States Department of Justice Environment & Natural Resources Division 20 P.O. Box 756 Littleton, Colorado 80160 21 I (or the entity on whose behalf I am acting) will retain all defenses or objections 22 4. to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect n the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. 24 If I (or the entity on whose behalf I am acting) have retained an attorney to represent 25 5. me in these proceedings, I identify that attorney below, along with his or her mailing address, 26

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

elephone number, facsimile number, and e-mail address:

27

28

Case 3:73-cv-00127-MMD-WGC Document 5 Filed 12/31/08 Page 95 of 113 1 Attorney: 2 Address: 3 4 5 Phone Number: 6 Fax Number: 7 E-mail Address: 8 9 PLEASE NOTE: Attorneys are reminded that they are required to comply with the 10 electronic filing procedures of the U.S. District Court for District of Nevada. 11 "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall 12 register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., 13 Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C. 14 15 16 (Signature) 17 18 19 (Printed or typed Name) 20 21 22 (Entity, if any, on whose behalf you are appearing) 23 24 21 SIMPSON 25 (Address)

26

27

28

775-465

(Telephone number)

Case 3:73-cv-00127-MMD-WGC Document 5 Filed 12/31/08 Page 96 of 113

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 3/19/08

If you are acting on behalf of any entity, identify that you are acting as Trustee of the

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

Case 3:73-cv-00127-MMD-WGC Document 5 Filed 12/31/08 Page 97 of 113

1	
2	IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA
3	UNITED STATES OF AMERICA,
4	Plaintiff,
5	WALKER RIVER PAIUTE TRIBE,) IN EQUITY NO. C-125
6	Plaintiff-Intervenor, SUBFILE NO. C-125-B
7	<u>}</u>
8	VS.
9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,
10	NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE
11	1. I hereby enter my appearance in this sub-proceeding in this case.
12	 I am filing this document with the District Court at the following address and as
13	directed on the Notice In Lieu of Summons:
14	Chief Deputy Clerk United States District Court for the
15 16	District of Nevada 400 South Virginia Street, Suite 301 Reno, Nevada 89501
17	3. I (or the entity on whose behalf I am acting) will retain all defenses or objections
18	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect
19	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.
20	4. If I (or the entity on whose behalf I am acting) have retained an attorney to
21	represent me in these proceedings, I identify that attorney below, along with his or her mailing
22	address, telephone number, facsimile number, and e-mail address:
23	
24	Attorney:
25	
26	Address:
27	
28	

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE (service), page 1 of 2

Case 3:73-cv-00127-MMD-WGC Document 5 Filed 12/31/08 Page 98 of 113

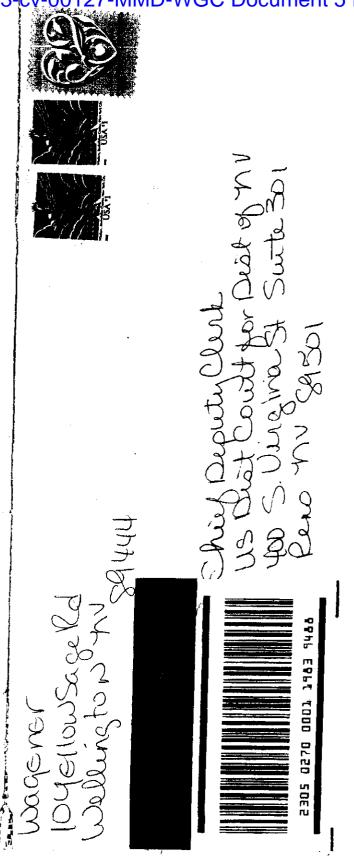
1	Phone Number:
2	Fax Number:
3	E-mail Address:
4	
5	PLEASE NOTE: Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.
6 7	"Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall register as Filing Users of the System. Registration shall be in the form prescribed by
8 9	the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.
10	
11	
12	
13	(Signature)
14	1 Stheeme (aughle
15	LATHERINE VAUGHAM
16	(Printed or typed Name)
17	
18	This is a large
19	(Entity, if any, on whose behalf you are appearing)
20	
21	(4.11
22	(Address)
23	(Telephone number)
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Case 3	73-cv-00127-ECR-RAM Document 1428 Filed	1 09/19/2008 Page 1 of 3
Case 3:73	cv-00127-MMD-WGC Document 5 F	FILED COUNSEL/PARTIES OF RECORD
1		3000000
2	IN THE UNITED STATES DIS FOR THE DISTRICT OF	STRICT COURSEP 1 9 2008
3	UNITED STATES OF AMERICA,) CLERK US DISTRICT COURT DISTRICT OF NEVADA
4	Plaintiff,	BY:DEPUTY
5	WALKER RIVER PAIUTE TRIBE,) IN EQUITY NO. C-125
6	Plaintiff-Intervenor,) SUBFILE NO. C-125-B
7	vs.))
. 8	WALKER RIVER IRRIGATION DISTRICT,))
9	a corporation, et al.,)
10	NOTICE OF APPEARANCE AND INT	ENT TO PARTICIPATE
11	 I hereby enter my appearance in this sub 	proceeding in this case.
12	2. I am filing this document with the Distric	
13	directed on the Notice In Lieu of Summons:	
14	Chief Deputy Clerk United States District Court for the	
15	District of Nevada 400 South Virginia Street, Suite 301	
16	Reno, Nevada 89501	
17	3. I (or the entity on whose behalf I am actin	g) will retain all defenses or objections
18	to the lawsuit or to the jurisdiction or venue of the court	except for objections based on a defect
19	in the Notice in Lieu of Summons or in the service of t	he Notice in Lieu of Summons.
20	4. If I (or the entity on whose behalf I an	n acting) have retained an attorney to
21	represent me in these proceedings, I identify that attorne	ey below, along with his or her mailing
22	address, telephone number, facsimile number, and e-m	ail address:
23		
24	Attorney:	
25		
26	Address:	
27		
28		
	NOTICE OF APPEARANCE AND INTENT TO PARTICE	(PATE (service), page 1 of 2

Case 3:73-cv-00127-ECR-RAM Document 1428 Filed 09/19/2008 Page 2 of 3 Case 3:73-cv-00127-MMD-WGC Document 5 Filed 12/31/08 Page 100 of 113

-	Phone Number:
2	Fax Number:
3	E-mail Address:
4	
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6	
7	"Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall
8	register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D.
9	Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.
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11	$M_{1/1/0}$
12	(Harkington
13	(Signature)
14	mark Wagener
15	Farbaralvagener
16	(Printed or typed Name)
17	
18	
19	(Entity, if any, on whose
20	behalf you are appearing)
21	
22	(Address)
23	(Telephone number)
24	
25	
26	
27	

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discliner of water rights and notice of related information, page 1 of 4

1	water rights that the undersigned (or the entity on whose behalf the undersigned is acting) once
2	owned before the undersigned was served with a Waiver of Service of Notice in Lieu of
3	Summons or by a Notice in Lieu of Summons, the undersigned provides the following
4	additional information:
5	The name and address of the party or parties who sold or otherwise conveyed
, б	ownership:
7	Name(s):
3	
9	Street or P.O. Box:
10	
11	Town or City.
12	TOWN OF CRY
13	State:
14	
15	Zip Code:
16	2. The name and address of each person or entity who acquired ownership
17 16	
19	Name(s): water rights, nor do we how. We merely have an option to
20	on the to
21	We merely have an office
22	Street or P.O. Box: purchase water nghis in
23	the juture, but it has not
24	bein exercised. files injust
25	us where we need to be
26	State:
7	Respectfully Swinter Sean Write
8:	Zip Code: Andrea Worke
	775 463 - 1065 DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 2 of 4

Case^C3:73 CV-00127 FMMD W & Current 1314 ent File th 13/14/2003 1/08 Page 104 of 113

1	-
2	
3	3. Attached to or included with this notice is a copy of the (check appropriate
4	box(es)):
5 i	
6	□ Deed
7	☐ Court Order
	Other Document.
8	
9	by which the change in ownership was accomplished.
10	4. The undersigned acknowledges that any person or entity who files a Disclaimer
11	of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently,
12	the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, but,
13	in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of
14	
.5	this litigation.
6	Executed this 12 day of March 200 8.
-7	Executed this 13 day of 11/16/20 200 8.
3.	
9.	Swarte Som werte
20	A A A change Warks
1	1 State of Middle of Control
2	[signature of counter-defendant]
3	SEAN 1 Andrew Winte
4	724 N. esegen ist
.1.	127 100
6	[name of counter-defendant]
7	
8	



*Sean & Andrea Waite 724 N. Oregon St Yerington, NV 89447

13 MAR 2008 PM 1 L

RENO NV.895

THINK, SPEAK TO NEAD, John Adams, 17

How 5. Virginia ST. Swite 301

PERSONAL SEE Share Chief Clerke

HOD 5. Virginia ST. Swite 301

Assessor Data Inquiry - Secured Property Detail

Code Table

Case 3:73-cv-00127-MN

Back to Search List
Secured Tax Inquiry
,co
Sales Data
-
Personal Property
Assessor Home

Parcel Detail for Parcel # 014-212-02

	Description	D-
 Total Acres 4.190	Ag Acres .000	W/R Acres .
	Improvements	G
 Single-fam Detached 1	Non-dwell Units 0	Bdrm/Bath 1/1/50
 Single-fam Attached 0	MH Hookups 0	Stories 🚺
 Multi-fam Units 0	Wells 1	ЭC
 Mobile Homes 0	Septic Tanks 1	ur
 Total Dwelling Units 1	Bldg Sq Ft 1,178	ne
lieto O to concornation	Garage Sq Ft 0	Attch/Detch
 IIII) DAEIII DEIRI	Basement Sq Ft 0	Finished 65

Legal Description

Add'l Addresses Assessor Maps

Location

Property Location 20 PENROSE LN

Town MASON VALLEY

Subdivision Lot Block

Property Name

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Zoning RR1 Current Land Use Code 200 Re-appraisal Group 3

Orig Constr Year 1950

Document History

Vesting Doc#, Date 405247 04/26/07 Book/Page Legal Owner Name WAITE, SEAN & ANDREA Map Document #s

Ownership History Mailing Address 724 N OREGON ST YERINGTON, NV 89447-0000 Assessed Owner Name WAITE, SEAN & ANDREA

Ownership

http://www1.lyon-county.org:403/cgi-bin/asw102?Parcel=1421202

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Prior Year	2007-08	15,750	9,816	0	0	0	25,566
Working Year Closed/Reopened Prior Year	Year 2008-09	16,220	10,307	0	0	0	26,527
Working Year	2009-10	16,220	10,307	0	0	0	26,527
		Land	Improvements	Personal Property	Ag Land	Exemptions	Net Assessed

Case 3.73-	₹₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽₽	PZ/14/29/81/Bage 1 of 2 108 of 113 FILED RECEIVED ON COUNSEL/PARTIES OF RECORD					
1	IN THE UNITED STATES DIS FOR THE DISTRICT OF	STRICT COURT 1 4 2008					
	FOR THE DISTRICT OF	CLERK HS DISTRICT COURT					
3	UNITED STATES OF AMERICA,	DISTRICT OF NEVADA DEPUTY					
4	Plaintiff,)					
5	WALKER RIVER PAIUTE TRIBE,) IN EQUITY NO. C-125					
6	Plaintiff-Intervenor,	SUBFILE NO. C-125-B					
7	vs.	, }					
8	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,	{					
9	NOTICE OF APPEARANCE AND INT	PNT TO PARTICIPATE					
10	NOTICE OF ATTEMANDED IN A						
11	 I hereby enter my appearance in this sub 	p-proceeding in this case.					
12	2. I am filing this document with the District Court at the following address and as directed on the Notice In Lieu of Summons:						
13							
14	Chief Deputy Clerk United States District Court for the						
15 16	District of Nevada 400 South Virginia Street, Suite 301 Reno, Nevada 89501						
17	3. I (or the entity on whose behalf I am actin	ng) will retain all defenses or objections					
18	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect						
19	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.						
20	4. If I (or the entity on whose behalf I am acting) have retained an attorney to						
21	represent me in these proceedings, I identify that attorney below, along with his or her mailing						
22	address, telephone number, facsimile number, and e-m	nail address:					
23							
24	Attorney:						
25	·						
26	Address:						
27							
28							
	NOTICE OF ADDEARANCE AND INTENT TO PARTIC	IPATE (service), page 1 of 2					

Case C3:73:73:750:00127=MMD-WGC Document File of 17/14/29/31/08 Page 109 of 113

1	Phone Number:
2	Fax Number:
3	E-mail Address:
4	
5	PLEASE NOTE: Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.
6	"A transversible are admitted to the bar of this court, admitted to participate in a case pro
7	hac vice, or who are authorized to represent the United States and its agencies, shall be in the form prescribed by
8	the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.
9	
10 11	Thomas to ward
12	9760.200
13 .	(Signature)
14	THOMAS H. WARD TRUETE,
15	THOMAS H. WARD TRUSTE, JOYCE WARD TRUSTE,
16	(Printed or typed Name)
17	
18	THE WARD FAMILY TRUST
19	(Entity, if any, on whose
20	behalf you are appearing)
21	
22	(Address)
23	(Telephone number)
24	(Totephone manes)
25	
26	
27	
28	

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WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 6/5/08 Sig

Signature
Rosemary F. WEAVER

Printed/Typed Name
If you are acting on behalf of any entity, identify that you are acting as:

TRUSTES

OF

(Title)
WILLIAM M WEAVER RESCASSE TRUST

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

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U.S. DEPTTOF JUSTICE ENV. & NAT. RES. DIV. WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS DENVER, CO

2008 NOV 3 Sustant L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 16-08

Signature

Lencth Brian Wood

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: _______ of

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

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Case 3:73-cy-00127-MMD-WGC Document 5 Filed 12/31/08 Page 112 of 113

DENVER, CO WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

2008 NOV 13 AM 11: 05

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: //-3-08

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

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WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS CO

2008 DEC -1 PM 12: 01

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
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5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons,

Date: 11-23-08

gnature

Drinted/Tymed N

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as:

(Title)

(Corporate, Trust, Partnership or other entity

(Corporate, Trust, Partnership or other entity)
Thomas H. Woolderdge AND LYNN K. Woolderdge

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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